

ESTTA Tracking number: **ESTTA919016**

Filing date: **08/29/2018**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Mana Products, Inc.
Granted to Date of previous extension	08/29/2018
Address	32-02 Queens Boulevard Long Island City, NY 11101 UNITED STATES

Attorney information	Catherine Dugan O'Connor Day Pitney LLP One International Place Boston, MA 02110 UNITED STATES trademarks@daypitney.com, cdoconnor@daypitney.com, mrauberson@daypitney.com, gpajer@daypitney.com, tmrecords@daypitney.com 203-977-7538
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Applicant Information

Application No	87708367	Publication date	05/01/2018
Opposition Filing Date	08/29/2018	Opposition Period Ends	08/29/2018
Applicant	BLK + GRN LLC PO Box 73213 Washington, DC 20056 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. First Use: 2015/01/01 First Use In Commerce: 2016/01/01 All goods and services in the class are opposed, namely: On-line retail store services featuring a wide variety of consumer goods of others


Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	5247910	Application Date	07/01/2016
Registration Date	07/18/2017	Foreign Priority Date	NONE

Word Mark	BLK OPL
Design Mark	
Description of Mark	NONE
Goods/Services	Class 003. First use: First Use: 2017/01/20 First Use In Commerce: 2017/01/20 cosmetics; non-medicated skincare preparations; cosmetic preparations for skin-care; non-medicated toiletries

U.S. Registration No.	5267801	Application Date	07/01/2016
Registration Date	08/15/2017	Foreign Priority Date	NONE
Word Mark	BLK/OPL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2017/01/20 First Use In Commerce: 2017/01/20 cosmetics; non-medicated skincare preparations; cosmetic preparations for skin-care; non-medicated toiletries		

U.S. Registration No.	5272916	Application Date	07/01/2016
Registration Date	08/22/2017	Foreign Priority Date	NONE
Word Mark	BLK/OPL TRUE COLOR		

Design Mark	BLK/OPL TRUE COLOR
Description of Mark	NONE
Goods/Services	Class 003. First use: First Use: 2017/01/20 First Use In Commerce: 2017/01/20 cosmetics; non-medicated skincare preparations; cosmetic preparations for skin-care; non-medicated toiletries

U.S. Application No.	87090964	Application Date	07/01/2016
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BLK OPL		
Design Mark	BLK OPL		
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 0 First Use In Commerce: 0 shaving preparations; pre-shaving preparations; after-shave preparations		

U.S. Application No.	87090961	Application Date	07/01/2016
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BLK/OPL		

Design Mark	BLK/OPL
Description of Mark	NONE
Goods/Services	Class 003. First use: First Use: 0 First Use In Commerce: 0 shaving preparations; pre-shaving preparations; after-shave preparations

U.S. Application No.	87090954	Application Date	07/01/2016
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BLK/OPL TRUE COLOR		
Design Mark	BLK/OPL TRUE COLOR		
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 0 First Use In Commerce: 0 shaving preparations; pre-shaving preparations; after-shave preparations		

U.S. Application No.	88013022	Application Date	06/25/2018
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BLK/OPL TOTAL COVERAGE		
Design Mark	BLK/OPL TOTAL COVERAGE		

Description of Mark	NONE
Goods/Services	Class 003. First use: First Use: 2017/03/00 First Use In Commerce: 2017/03/00 Cosmetics

Attachments	87975413#TMSN.png(bytes) 87975514#TMSN.png(bytes) 87975538#TMSN.png(bytes) 87090964#TMSN.png(bytes) 87090961#TMSN.png(bytes) 87090954#TMSN.png(bytes) 88013022#TMSN.png(bytes) Notice of Opposition BLK GRN.pdf(62529 bytes) Exhibit A to BLK GRN Notice of Opposition.pdf(92760 bytes) Exhibit B to BLK GRN Notice of Opposition.pdf(97247 bytes)
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Signature	/Catherine Dugan O'Connor/
Name	Catherine Dugan O'Connor
Date	08/29/2018

MANA PRODUCTS, INC.,)	
Opposer,)	Opposition No.:
v.)	Mark: BLK + GRN (Stylized)
BLK + GRN LLC)	
Applicant.)	Serial No.: 87/708,367
)	Class: 35

Mana Products, Inc., a New York corporation, with an address of 32-02 Queens Boulevard, Long Island City, NY 11101 (hereafter “Opposer” or “Mana”) believes that it will be damaged by registration of the mark that is the subject of U.S. Application Serial No. 87/708,367 for the mark BLK + GRN (Stylized), and hereby opposes registration of same. The grounds are as follows:

- 100503920.2

Currently, Opposer employs over 800 people and operates three product innovation labs and two manufacturing facilities for production, packaging and assembly and distribution.

4. One of Mana's long standing brands is the BLACK OPAL brand, which has been widely used and promoted by Mana in the United States and internationally for over twenty years, and is the subject of multiple U.S. and foreign trademark registrations. Over the past few years, Mana has adopted an updated presentation featuring BLK OPL and BLK/OPL to offer its goods and services under this brand (the "BLK OPL brand").

5. On July 1, 2016, Opposer filed intent-to-use trademark applications for BLK OPL, BLK/OPL, and BLK/OPL TRUE COLOR covering, "*cosmetics; non-medicated skincare preparations; cosmetic preparations for skincare; non-medicated toiletries*" in Class 03.

6. Opposer began offering cosmetics, non-medicated skin care preparations, cosmetic preparations for skincare, and non-medicated toiletries branded under the BLK OPL, BLK/OPL, and BLK/OPL TRUE COLOR trademarks on or about January 20, 2017.

7. Opposer began offering on-line retail store and retail store services featuring cosmetics, non-medicated skin care preparations, cosmetic preparations for skincare, and non-medicated toiletries under the BLK/OPL trademark on or about January 20, 2017.

8. Opposer has expended significant time, money and effort in promoting and marketing the BLK OPL, BLK/OPL, and BLK/OPL TRUE COLOR-branded goods and services through substantial business activities in the United States.

9. Through its use and development of the BLK OPL brand, including the BLK OPL, BLK/OPL, and BLK/OPL TRUE COLOR marks, Opposer has established a strong customer base and is known as a provider of high quality cosmetics and personal beauty goods and services.

10. The recognition and goodwill associated with Opposer's BLK OPL brand, including its BLK OPL, BLK/OPL and BLK/OPL TRUE COLOR trademarks, is the result of Opposer's marketing efforts and the high quality of Opposer's goods and services offered thereunder.

11. Opposer owns U.S. Trademark Registrations for its BLK OPL, BLK/OPL, AND BLK/OPL TRUE COLOR marks (collectively the BLK OPL Registrations), including the following. (Registration certificates attached hereto as Exhibit A)

12. Opposer owns U.S. Reg. No. 5,247,910 (the "910 Registration") for the mark BLK OPL covering "*cosmetics; non-medicated skincare preparations; cosmetic preparations for skincare; non-medicated toiletries*" in Class 3. The registration issued on July 18, 2017, from an application that was filed on July 1, 2016.

13. Opposer owns U.S. Reg. No. 5,267,801 (the "801 Registration") for the mark BLK / OPL covering "*cosmetics; non-medicated skincare preparations; cosmetic preparations for skincare; non-medicated toiletries*" in Class 3. The registration issued on August 15, 2017, from an application that was filed on July 1, 2016.

14. Opposer owns U.S. Reg. No. 5,272,916 (the "916 Registration") for the mark BLK / OPL TRUE COLOR covering "*cosmetics; non-medicated skincare preparations; cosmetic preparations for skincare; non-medicated toiletries*" in Class 3. The registration issued on August 22, 2017, from an application that was filed on July 1, 2016.

15. Opposer owns U.S. Trademark Applications for its BLK OPL, BLK/OPL, BLK/OPL TRUE COLOR and BLK/OPL TOTAL COVERAGE marks (collectively the BLK OPL Applications), including the following. (TSDR Records attached hereto as Exhibit B)

16. Opposer owns U.S. Ser. No: 87/090,964 for BLK OPL covering “*shaving preparations; pre-shaving preparations; after-shave preparations,*” in Class 3, which was filed on July 1, 2016.

17. Opposer owns U.S. Ser. No: 87/090,961 for BLK/OPL covering “*shaving preparations; pre-shaving preparations; after-shave preparations,*” in Class 3, which was filed on July 1, 2016.

18. Opposer owns U.S. Ser. No: 87/090,954 for BLK/OPL TRUE COLOR covering “*shaving preparations; pre-shaving preparations; after-shave preparations,*” in Class 3, which was filed on July 1, 2016.

19. Opposer also owns U.S. Ser. No: 88/013,022 for BLK/OPL TOTAL COVERAGE covering “*cosmetics,*” in Class 3, which was filed on June 25, 2018 and claims a date of first use of March 2017.

20. In accordance with Sections 7(b), 22 and 33(a) of the Lanham Act, Opposer’s BLK OPL Registrations constitute *prima facie* evidence of the validity of the registered marks and of the registrations thereof, Opposer’s ownership of the marks shown in said registrations, and Opposer’s exclusive right to use the marks in commerce in connection with the goods named therein, without condition or limitation.

21. Upon information and belief, on December 5, 2017, Applicant filed Application Serial No. 87/708,367 (the “367 Application”) to register the mark BLK + GRN (Stylized) for “*On-line retail store services featuring a wide variety of consumer goods of others*” in Class 35 with an alleged January 1, 2015 date of first use and alleged January 1, 2016 date of first use in commerce in the United States.

22. Applicant's BLK + GRN (Stylized) mark is highly similar in appearance and commercial impression to Opposer's BLK OPL Registrations and Applications.

23. Applicant's BLK + GRN (Stylized) mark and Opposer's Registrations and Applications all include the dominant identical term BLK plus an additional color term abbreviated to three letters (OPL vs. GRN). Further, the BLK + GRN (Stylized) mark and many of Opposer's BLK OPL Registrations and Applications separate the dominant BLK term from the additional abbreviated color term (OPL or GRN) by way of a symbol (/ vs. +).

24. The services of Applicant offered under its BLK + GRN (Stylized) mark encompass Opposer's goods offered under its BLK OPL Registrations and Applications.

25. In particular, Opposer's BLK OPL Registrations each cover "*cosmetics; non-medicated skincare preparations; cosmetic preparations for skincare; non-medicated toiletries*," while the BLK + GRN (Stylized) '367 Application covers "*On-line retail store services featuring a wide variety of consumer goods of others*."

26. Applicant offers for sale cosmetics, non-medicated skincare preparations, cosmetic preparations for skincare, non-medicated toiletries on its BLK + GRN (Stylized) branded on-line retail store, located at www.blkgrn.com.

27. Upon information and belief, Applicant's date of first use and date of first use in commerce for BLK + GRN (Stylized), January 1, 2015 and January 1, 2016, respectively, are both incorrect.

28. Upon information and belief, Applicant's earliest date of first use of the BLK + GRN (Stylized) mark in connection with the services covered in the '367 Application is not until October 2017.

29. Upon information and belief, Applicant purchased the domains for which it offers its services under the BLK + GRN (Stylized) brand, www.blkgrn.com and www.blkandgrnlifestyle.com, on or about October 18, 2017 and October 9, 2017, respectively.

30. Upon information and belief, Applicant did not register as a Washington, D.C. limited liability company until November 29, 2017.

31. Upon information and belief, BLK + GRN LLC founder, Kristian Henderson, announced the launch of BLK + GRN LLC on her personal Twitter page on October 11, 2017, as shown below:



32. Opposer's filing dates, registration dates, and claimed dates of first use for the goods offered under the BLK OPL Registrations are all long prior to any use or application date for BLK + GRN (Stylized) by Applicant, giving Opposer clear priority.

33. Opposer's '910, '801, and '916 Registrations for the marks BLK OPL, BLK/OPL, and BLK / OPL TRUE COLOR all have a priority filing date of July 1, 2016 and January 20, 2017 dates of first use in commerce, both of which predate both Applicant's filing date of December 5, 2017 and apparent earliest first use in commerce date of October 2017.

34. Opposer's filing dates for the goods offered under the BLK OPL Applications are all long prior to any use or application date for BLK + GRN (Stylized) by Applicant, giving Opposer clear priority.

35. Opposer's '954, '961, and '964 Applications for the marks BLK OPL, BLK/OPL, and BLK / OPL TRUE COLOR all have a priority filing date of July 1, 2016, which predate both Applicant's filing date of December 5, 2017 and apparent earliest first use in commerce date of October 2017.

36. Opposer's '022 Application for the mark BLK / OPL TOTAL COVERAGE has a date of first use of March 2017, which predates both Applicant's filing date of December 5, 2017 and apparent earliest first use in commerce date of October 2017.

37. Applicant's BLK + GRN (Stylized) mark as shown in App. Serial No. 87/120,462 is confusingly similar to Opposer's senior BLK OPL Registrations and Applications in terms of appearance and overall commercial impression. Both consist of the dominant identical term BLK plus an additional color term abbreviated to three letters (OPL vs. GRN). Further, the BLK + GRN (Stylized) mark and many of Opposer's BLK OPL Registrations and Applications separate the dominant BLK term from the additional abbreviated color term (OPL or GRN) by way of a symbol (/ vs. +).

38. Applicant's trademark as shown in App. Serial No. 87/120,462 consists of or comprises a mark which so resembles Opposer's previously filed and/or used BLK OPL Registrations and Applications as to be likely, when used for the services listed in the subject application, to cause confusion, to cause mistake or to deceive consumers into the belief that the services offered under BLK + GRN (Stylized) come from, include, or are otherwise authorized,

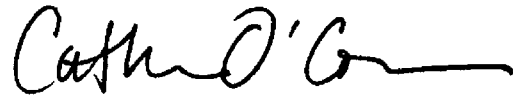
endorsed or sponsored by Mana in violation of Section 2(d) of the Lanham Act, 15 USC § 1052(d).

39. Based on the foregoing, registration of the mark shown in App. Serial No. 87/708,367 is likely to cause injury and damage to Opposer.

WHEREFORE, Opposer asserts that it will be damaged by the registration of Applicant's mark BLK + GRN (Stylized) and requests that this opposition be sustained and that U.S. Application Serial No. 87/708,367 filed on December 5, 2017 by BLK + GRN LLC be rejected and its registration refused.

Respectfully submitted,

MANA PRODUCTS, INC.



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cdoconnor@daypitney.com
mraubeson@daypitney.com

Dated: August 29, 2018

Exhibit A

United States of America

United States Patent and Trademark Office

BLK OPL

Reg. No. 5,247,910

Registered Jul. 18, 2017

Int. Cl.: 3

Trademark

Principal Register

Mana Products, Inc. (NEW YORK CORPORATION)
32-02 Queens Blvd
Long Island City, NY 11101

CLASS 3: cosmetics; non-medicated skincare preparations; cosmetic preparations for skincare; non-medicated toiletries

FIRST USE 1-20-2017; IN COMMERCE 1-20-2017

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 2024917, 1825722, 1949678

SER. NO. 87-975,413, FILED 07-01-2016
JAMES GRIFFIN, EXAMINING ATTORNEY



Joseph Matol

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

BLK/OPL

Reg. No. 5,267,801

Mana Products, Inc. (NEW YORK CORPORATION)
32-02 Queens Blvd
Long Island City, NY 11101

Registered Aug. 15, 2017

Int. Cl.: 3

CLASS 3: cosmetics; non-medicated skincare preparations; cosmetic preparations for skincare; non-medicated toiletries

Trademark

FIRST USE 1-20-2017; IN COMMERCE 1-20-2017

Principal Register

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 2024917, 1825722, 1949678

SER. NO. 87-975,514, FILED 07-01-2016
JAMES GRIFFIN, EXAMINING ATTORNEY



Joseph Matol

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

BLK/OPL TRUE COLOR

Reg. No. 5,272,916

Mana Products, Inc. (NEW YORK CORPORATION)
32-02 Queens Blvd
Long Island City, NY 11101

Registered Aug. 22, 2017

Int. Cl.: 3

CLASS 3: cosmetics; non-medicated skincare preparations; cosmetic preparations for skincare; non-medicated toiletries

Trademark

FIRST USE 1-20-2017; IN COMMERCE 1-20-2017

Principal Register

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 4125722, 1825722, 1949678

SER. NO. 87-975,538, FILED 07-01-2016
JAMES GRIFFIN, EXAMINING ATTORNEY



Joseph Matal

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

Exhibit B

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Mark: BLK OPL

BLK OPL

US Serial Number: 87090964

Application Filing Date: Jul. 01, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

Status: A third request for extension of time to file a Statement of Use has been granted.

Status Date: Jul. 02, 2018

Publication Date: Nov. 15, 2016

Notice of Allowance Date: Jan. 10, 2017

Mark Information

Mark Literal Elements: BLK OPL

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

International Registration Number: 1335431

International Application(s) /Registration(s) Based on this Property: A0063304/1335431

Claimed Ownership of US Registrations: 1825722, 1949678, 2024917

Parent Of: 87975413

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: shaving preparations; pre-shaving preparations; after-shave preparations

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No
Filed ITU: Yes
Filed 44D: No
Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently Use: No
Currently ITU: Yes
Currently 44D: No
Currently 44E: No
Currently 66A: No
Currently No Basis: No

Amended Use: No
Amended ITU: No
Amended 44D: No
Amended 44E: No

Current Owner(s) Information

Owner Name: Mana Products, Inc.

Owner Address: 32-02 Queens Blvd
Long Island City, NEW YORK UNITED STATES 11101

Legal Entity Type: CORPORATION

State or Country NEW YORK
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Catherine Dugan O'Connor

Docket Number: 407447122340

Attorney Primary trademarks@daypitney.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent CATHERINE DUGAN O'CONNOR
Name/Address: DAY PITNEY LLP
ONE INTERNATIONAL PL
Boston, MASSACHUSETTS UNITED STATES 02110

Phone: 203.977.7538

Fax: 617.345.4745

Correspondent e-mail: trademarks@daypitney.com cdoconnor@daypitney.com TMrecords@daypitney.com gpajer@daypitney.com mraubeson@daypitney.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 04, 2018	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jul. 02, 2018	EXTENSION 3 GRANTED	98765
Jul. 02, 2018	EXTENSION 3 FILED	98765
Jul. 02, 2018	TEAS EXTENSION RECEIVED	
Apr. 26, 2018	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 21, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 19, 2017	EXTENSION 2 GRANTED	98765
Dec. 19, 2017	EXTENSION 2 FILED	98765
Dec. 19, 2017	TEAS EXTENSION RECEIVED	
Jun. 07, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 07, 2017	CORRECTED NOA E-MAILED	
Jun. 06, 2017	EXTENSION 1 GRANTED	66230
May 12, 2017	EXTENSION 1 FILED	66230
Jun. 06, 2017	DIVISIONAL PROCESSING COMPLETE	
May 12, 2017	DIVISIONAL REQUEST RECEIVED	
Jun. 06, 2017	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Jun. 05, 2017	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 01, 2017	ITU OFFICE ACTION ISSUED FOR DIVISIONAL REQUEST	66230
May 31, 2017	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
May 12, 2017	TEAS REQUEST TO DIVIDE RECEIVED	
May 12, 2017	TEAS EXTENSION RECEIVED	

Jan. 10, 2017	NOA E-MAILED - SOU REQUIRED FROM APPLICANT
Nov. 15, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED
Nov. 15, 2016	PUBLISHED FOR OPPOSITION
Oct. 26, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
Oct. 01, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER
Sep. 27, 2016	ASSIGNED TO EXAMINER
Jul. 07, 2016	NOTICE OF PSEUDO MARK E-MAILED
Jul. 06, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM
Jul. 05, 2016	NEW APPLICATION ENTERED IN TRAM

74784

TM Staff and Location Information

TM Staff Information

TM Attorney: GRIFFIN, JAMES

Law Office Assigned: LAW OFFICE 103

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Jun. 06, 2017

Generated on: This page was generated by TSDR on 2018-08-28 22:21:37 EDT

Mark: BLK/OPL

BLK/OPL

US Serial Number: 87090961

Application Filing Date: Jul. 01, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

Status: A third request for extension of time to file a Statement of Use has been granted.

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Mark Information

Mark Literal Elements: BLK/OPL

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

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Parent Of: 87975514

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For: shaving preparations; pre-shaving preparations; after-shave preparations

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Mana Products, Inc.

Owner Address: 32-02 Queens Blvd
Long Island City, NEW YORK 11101
UNITED STATES

Legal Entity Type: CORPORATION

State or Country NEW YORK
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Catherine Dugan O'Connor

Docket Number: 407447122330

Attorney Primary Email Address: trademarks@daypitney.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: CATHERINE DUGAN O'CONNOR
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y.com.TMrecords@daypitney.com gpajer@daypitney.com
ney.com.mraubeson@daypitney.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

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Nov. 15, 2016	PUBLISHED FOR OPPOSITION	
Oct. 26, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 01, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 27, 2016	ASSIGNED TO EXAMINER	74784
Jul. 07, 2016	NOTICE OF PSEUDO MARK E-MAILED	
Jul. 06, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 05, 2016	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information**TM Attorney:** GRIFFIN, JAMES**Law Office Assigned:** LAW OFFICE 103**File Location****Current Location:** DIVISIONAL UNIT**Date in Location:** Jul. 06, 2017

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Mark: BLK/OPL TRUE COLOR

BLK/OPL TRUE COLOR

US Serial Number: 87090954

Application Filing Date: Jul. 01, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

Status: A third request for extension of time to file a Statement of Use has been granted.

Status Date: Jul. 05, 2018

Publication Date: Nov. 15, 2016

Notice of Allowance Date: Jan. 10, 2017

Mark Information

Mark Literal Elements: BLK/OPL TRUE COLOR

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

International Registration Number: 1332349

International Application(s) /Registration(s) Based on this Property: A0063310/1332349

Claimed Ownership of US Registrations: 1825722, 1949678, 4125722

Parent Of: 87975538

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: shaving preparations; pre-shaving preparations; after-shave preparations

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Mana Products, Inc.

Owner Address: 32-02 Queens Blvd
Long Island City, NEW YORK 11101
UNITED STATES

Legal Entity Type: CORPORATION

State or Country: NEW YORK
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Catherine Dugan O'Connor

Docket Number: 407447122320

Attorney Primary Email Address: trademarks@daypitney.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: CATHERINE DUGAN O'CONNOR
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UNITED STATES

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Correspondent e-mail: trademarks@daypitney.com cdoconnor@daypitney.com
y.com.TMrecords@daypitney.com gpajer@daypitney.com
ney.com.mraubeson@daypitney.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 06, 2018	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jul. 05, 2018	EXTENSION 3 GRANTED	66530
Jul. 02, 2018	EXTENSION 3 FILED	66530
Jul. 02, 2018	TEAS EXTENSION RECEIVED	
Apr. 26, 2018	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 23, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 22, 2017	EXTENSION 2 GRANTED	66530
Dec. 19, 2017	EXTENSION 2 FILED	66530
Dec. 19, 2017	TEAS EXTENSION RECEIVED	
Jul. 14, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jul. 14, 2017	CORRECTED NOA E-MAILED	
Jul. 13, 2017	EXTENSION 1 GRANTED	66530
May 12, 2017	EXTENSION 1 FILED	66530
Jul. 13, 2017	DIVISIONAL PROCESSING COMPLETE	
May 12, 2017	DIVISIONAL REQUEST RECEIVED	
May 12, 2017	TEAS REQUEST TO DIVIDE RECEIVED	
Jun. 16, 2017	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 06, 2017	ITU OFFICE ACTION ISSUED FOR DIVISIONAL REQUEST	66530
May 31, 2017	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66530
May 12, 2017	TEAS EXTENSION RECEIVED	
May 12, 2017	TEAS STATEMENT OF USE RECEIVED	
Jan. 10, 2017	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 15, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 15, 2016	PUBLISHED FOR OPPOSITION	

Oct. 26, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
Sep. 30, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER
Sep. 27, 2016	ASSIGNED TO EXAMINER
Jul. 07, 2016	NOTICE OF PSEUDO MARK E-MAILED
Jul. 06, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM
Jul. 05, 2016	NEW APPLICATION ENTERED IN TRAM

74784

TM Staff and Location Information

TM Staff Information

TM Attorney: GRIFFIN, JAMES

Law Office Assigned: LAW OFFICE 103

File Location

Current Location: DIVISIONAL UNIT

Date in Location: Jul. 13, 2017

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Mark: BLK/OPL TOTAL COVERAGE

BLK/OPL TOTAL COVERAGE

US Serial Number: 88013022

Application Filing Date: Jun. 25, 2018

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Awaiting Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and has not yet been assigned to an examiner.

Status: New application will be assigned to an examining attorney approximately 3 months after filing date.

Status Date: Jun. 29, 2018

Mark Information

Mark Literal Elements: BLK/OPL TOTAL COVERAGE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 5247910, 5267801, 5272916

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: Cosmetics

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2017

Use in Commerce: Mar. 2017

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Mana Products, Inc.

Owner Address: 32-02 Queens Boulevard
Long Island City, NEW YORK UNITED STATES 11101

Legal Entity Type: CORPORATION

State or Country NEW YORK
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Catherine Dugan O'Connor

Docket Number: 407441124310

Attorney Primary trademarks@daypitney.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent CATHERINE DUGAN O'CONNOR
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TMrecords@daypitney.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 29, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 28, 2018	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: NEW APPLICATION PROCESSING

Date in Location: Jun. 29, 2018